

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

ANDRE L. TINNON,
Petitioner,

v.

Case No. 24-cv-1680

LARRY FUCHS, *Warden,*
Columbia Correctional Institution,
Respondent.

ORDER

On January 28, 2025, Magistrate Judge Stephen C. Dries issued a decision recommending (1) that petitioner Andre Tinnon's unauthorized second or successive petition for a writ of habeas corpus and this action be dismissed, (2) that petitioner's requests to proceed without prepayment of the filing fee be denied as moot, and (3) that a certificate of appealability be denied. ECF No. 12. The decision was served on petitioner the next day. Under Federal Rule of Civil Procedure 72(b)(2) and General Local Rule 72(c), the petitioner had fourteen days from the date of service to file written objections to the order. That time expired on February 12, 2025, without petitioner having filed an objection. Moreover, I have reviewed the order de novo and find that no part of it is erroneous or contrary to law.

THEREFORE, IT IS ORDERED that Magistrate Judge Dries' Report & Recommendation (ECF No. 12) is **ADOPTED** in its entirety. Petitioner's requests to proceed without prepayment of the filing fee (ECF Nos. 4, 5) are **DENIED AS MOOT**. Petitioner's unauthorized second or successive petition for a writ of habeas corpus (ECF No. 1) and this action are hereby **DISMISSED**. The Clerk of Court shall enter

judgment accordingly. Pursuant to Rule 11 of the Rules Governing § 2254 Cases, I find that petitioner has not made the showing required by 28 U.S.C. § 2253(c)(2), and I therefore will not issue a certificate of appealability.

Dated at Milwaukee, Wisconsin, this 21st day of February, 2025.

/s/ Lynn Adelman

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District Judge